

FEB 21 2001

Supreme Court of Florida

CLERK, SUPREME COURT

INQUIRY CONCERNING A JUDGE
MATTHEW E. McMILLAN, CASE NO.:SC CASE NO.: 95,886
00-70399-10 AND and No. 00-17

**MOTION TO EXCEED PAGE LIMITATIONS
OF INITIAL BRIEF**

The Respondent herein, Matthew E. McMillan, respectfully moves pursuant to Rule 9.210 and 9.330, Fla.R.App.P., that the Court allow the Respondent to file a response to the Court's Order to Show Cause consisting of sixty-nine (69) pages. Counsel has attempted in good faith to meet a 50 page restriction and has already omitted at least thirty pages of argument and points which counsel feels would otherwise be pertinent and helpful to the Court and to the client's contentions. The testimonial presentation and documentary evidence presented at the trial was extensive and complex requiring a detailed analysis in order to fairly present the position of Judge McMillan. In addition, the Commission recommended removal from office, accordingly, counsel believes that fairness and a proper respect for the impact of a removal decision upon the Respondent and his family demands

that a complete submission in behalf of Judge McMillan that addresses the factual and legal issues. This Motion is made in good faith.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via hand delivery to Marvin E. Barkin, Esq., 101 E. Kennedy Blvd., Suite 2700, Tampa, FL 33602, via Federal Express to John Beranek, Esq., 227 S. Calhoun St., Tallahassee, FL 32301, via hand delivery to Thomas C. McDonald, Jr., 100 N. Tampa Street, Suite 2100, Tampa, FL 33602, via hand delivery to Lance C. Scriven, Esq., 633 N. Franklin St., Suite 600, Tampa, FL 33602, via hand delivery to Scott Tozian, Esq. 109 N. Brush St., #150, Tampa, FL 33602, via Federal Express to Brooke Kennerly, Florida Judicial Qualifications Commission, Room 102, The Historic Capitol, Tallahassee, FL 32399 and via Federal Express to the Florida Supreme Court, Supreme Court Clerk's Office, 500 S. Duval Street, Tallahassee, FL 32399-1927, this 22 day of February, 2001.

LEVINE, HIRSCH, SEGALL &
BRENNAN, P.A.

By: 

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